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Letter dated 23 February 2007 from the Permanent Representative of Germany to the United Nations addressed to the Chairman of the Committee

Pursuant to paragraph 19 of Security Council resolution 1737 (2006), I have the honour to submit the following detailed information on steps taken by Germany with a view to a prompt and comprehensive implementation of the provisions of paragraphs 3, 4, 5, 6, 7, 10, 12 and 17 of said resolution.

Operative paragraphs 3, 4 (a) and 5: according to the European Council Regulation on export controls of dual-use goods (Regulation (EC) No. 1334/2000), all items contained in Security Council documents S/2007/814 (Nuclear Suppliers Group list) and S/2007/815 (Missile Technology Control Regime list) are subject to export authorizations in their entirety. No authorizations have been granted for the export of those goods to Iran since the entry into force of resolution 1737 (2006).

Operative paragraph 4 (b) and (c): all other items not listed in those international control regimes are subject to authorization when being exported to Iran if, in the particular case, they are intended or may be intended for an end use related to Weapons of Mass Destruction (including nuclear weapons), to delivery systems for Weapons of Mass Destruction or to civilian nuclear technical purposes. No authorizations have been granted for the export of those goods to Iran since the entry into force of resolution 1737 (2006).

Operative paragraph 6: the German War Weapons Control Act prohibits all actions which promote the development, production, brokering and sale of nuclear, biological and chemical weapons. This covers training, financing and other services that promote WMD-development and production. Violation of this prohibition constitutes a criminal offence. Investigation authorities have been and continue to be pursuing suspected criminal acts of this kind, including those with relevance to Iran.

Based on a Joint Action of the European Council, Germany also introduced restrictions on the provision of technical assistance into national legislation in 2000. Regarding Iran, these provisions are relevant for technical assistance related (among others) to nuclear weapons and their means of delivery as well as to civilian nuclear technical purposes.

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Operative paragraph 7: German customs authorities and their branch offices have been instructed to thoroughly review all merchandise declared for export to Iran as well as imports from Iran. In case of doubt on the potential purpose of the supplies in question, they have to notify a special task force established within the Federal Ministry of Finance which will then decide whether to stop the export.

Operative paragraph 10: German authorities are observing through all available means, including the visa regime which is in force for Iranian nationals, entries or transit passages of the individuals listed in the annex to resolution 1737 (2006). To date, no travel of those persons to Germany was observed. Following Schengen regulations, however, permanent controls of internal borders between Schengen member States have been abolished. This imposes certain limitations on Schengen member States, including Germany, to observe and report such movements.

Operative paragraph 12: effective 9 February 2007, Germany has temporarily prohibited access to the financial assets and economic resources of those persons, organizations and institutions listed in the annex to resolution 1737 (2006). Financial assets and economic resources may not be provided to them unless the conditions of operative paragraphs 13, 14 or 15 of the resolution are met. This regulation remains in force until a European Council regulation, which the competent European Council bodies are currently drafting, enters into force.

Operative paragraph 17: as to specialized training and teaching of Iranian nationals in sensitive disciplines, arrangements have been put in place for a notification of relevant individuals which then allows the German authorities to deny access by those individuals to the desired research institutions.

Regarding the steps taken by the European Union, I wish to refer to my letter dated 22 February 2007, addressed to you in my capacity as representative of the Presidency of the European Union.

(*Signed*) Thomas **Matussek**
Ambassador